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Cayman, Ltd.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE OPENTV CORP. SHAREHOLDER
LITIGATION

Case No. C-09-04896 MHP

STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING DEADLINE FOR SUBMISSION OF
MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT AND RESCHEDULING
HEARING THEREON

1 WHEREAS, on April 12, 2010, the Court held a case management conference (“CMC”) in
2 the above-captioned action, at which the parties informed the Court that they had reached an
3 agreement in principle to settle the action and dismiss all claims therein with prejudice;

4 WHEREAS, at the CMC, the Court ordered the parties to submit to the Court the
5 stipulation of settlement and a motion for preliminary approval thereof no later than May 10,
6 2010, and scheduled a hearing on the preliminary approval motion for May 24, 2010;

7 WHEREAS, on or about May 6, 2010, the parties filed a stipulation and proposed order
8 with the Court, requesting that the deadline to submit the motion for preliminary approval and
9 related settlement documentation be extended to Friday, May 28, 2010 and that the hearing
10 thereon should be rescheduled for Monday, June 21, 2010 at 2 p.m., or such other date as the
11 Court may order, to allow the parties to finalize the stipulation of settlement and related
12 documentation and thereby eliminate issues that might otherwise require Court attention;

13 WHEREAS, on or about May 7, 2010, the Court entered an order setting the dates for
14 submission of the motion for preliminary approval and the hearing thereon in accordance with
15 the parties’ May 6, 2010 stipulation;

16 WHEREAS, on or about May 26, 2010, the parties filed a stipulation and proposed order
17 with the Court, explaining that they were continuing to negotiate the terms of the stipulation of
18 settlement and related settlement documentation in good faith, and requesting that the deadline to
19 submit the motion for preliminary approval and related settlement documentation be further
20 extended to Friday, May 28, 2010 and that the hearing thereon be rescheduled for Monday, July
21 12, 2010 at 2 p.m.;

22 WHEREAS, on or about May 28, 2010, the Court entered an order setting the dates for
23 submission of the motion for preliminary approval and the hearing thereon in accordance with
24 the parties’ May 26, 2010 stipulation;

25 WHEREAS, as a result of their efforts, the parties this week reached resolution of the final
26 disputed issue in the case (relating to attorneys’ fees and costs), thereby eliminating an issue that
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1 might otherwise have required Court attention, and fully anticipate being able to finalize and file
2 the executed stipulation of settlement and all related settlement documentation by July 9, 2010;

3 NOW, THEREFORE, it is hereby stipulated and agreed, by and between the parties, through
4 their respective counsel of record, subject to Court approval, that the deadline to submit the
5 motion for preliminary approval and related settlement documentation be extended to Friday,
6 July 9, 2010 and that the hearing thereon should be rescheduled for Monday, July 26, 2010 at 2
7 p.m., or such other date and time as the Court may order.

8 IT IS SO STIPULATED.

9 DATED: June 23, 2010

BERMAN DEVALERIO

10 By: /s/
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20 DATED: June 23, 2010

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1 **Filer's Attestation:** Pursuant to General Order No. 45, Section X(B) regarding
2 signatures, Christopher T. Heffelfinger hereby attests that concurrence in the filing of this
3 document has been obtained.

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5 By: /s/
Christopher T. Heffelfinger

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8 **IT IS SO ORDERED.**

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10 Dated: June 24, 2010

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